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8                   **UNITED STATES DISTRICT COURT**  
9                   **WESTERN DISTRICT OF WASHINGTON**  
10                  **AT SEATTLE**

11                  DANIEL RHINE,

12                  Plaintiff,

13                  v.

14                  UNITED STATES OF AMERICA,  
15                  GINA PEREZ,

16                  Defendants.

17                  CASE NO. 2:21-cv-00876-RAJ-BAT

18                  **ORDER DISMISSING**  
19                  **PLAINTIFF'S CLAIMS**  
20                  **AGAINST THE UNITED STATES**  
21                  **OF AMERICA**

22                  The Court, having reviewed the Report and Recommendation of the Honorable  
23 Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that,  
and the remaining record, finds and **ORDERS**:

1.       The Report and Recommendation is **ADOPTED**;

2.       Defendant United States of America's Motion to Dismiss for Lack of

Subject Matter Jurisdiction (Dkt. 12) is **GRANTED**; Plaintiff Daniel Rhine's claims  
against the United States of America are dismissed **with prejudice**, without leave to  
amend.

ORDER DISMISSING PLAINTIFF'S CLAIMS  
AGAINST THE UNITED STATES OF  
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1       3. Because issues raised in subsequent pleadings have either been addressed  
2 or do not change the Court's analysis, all pending motions, including Plaintiff's motion to  
3 dismiss, Dkt. 30, are denied as moot.

4       4. The Clerk shall send a copy of this Order to the parties and to Judge  
5 Tsuchida.

6       DATED this 20th day of January, 2022.

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10     The Honorable Richard A. Jones  
11     United States District Judge  
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